

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY

DATE: MARCH 28, 2011

COMMITTEE MEMBERS PRESENT:

SUPERVISORS VANNESS
BENTLEY
GIRARD
THOMAS
CONOVER
MONROE

OTHERS PRESENT:

KAREN PUTNEY, FIRE PREVENTION & BUILDING CODE ENFORCEMENT
ADMINISTRATOR
BRIAN LAFLURE, DIRECTOR, OFFICE OF EMERGENCY SERVICES
BUD YORK, SHERIFF
DANIEL STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
SUPERVISORS STRAINER
TAYLOR
WOOD
MICHAEL GATES, CAPTAIN, SHERIFF'S CORRECTION DIVISION
JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR MCCOY

Mr. VanNess called the meeting of the Public Safety Committee to order at 9:32 a.m.

Motion was made by Mr. Bentley, seconded by Mr. Monroe and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Brian LaFlure, Director of the Office of Emergency Services (OES), who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. LaFlure apprised the issue regarding the Hazard Mitigation Coordinator duties had progressed with agreement to transfer/assign the responsibilities to the Soil & Water Conservation District Office. Paul Dusek, County Attorney/Administrator, said the next step was to review a proposal from Dave Wick, Soil & Water Conservation District Manager. Mr. Thomas advised he had spoken with Mr. Wick and a meeting was scheduled for later today to begin drafting a proposal.

It was the consensus of the Committee to authorize the transfer of Hazard Mitigation Coordinator duties to the Soil & Water Conservation District, pending a review of the proposal from the Soil & Water Conservation District.

Mr. LaFlure presented a request for Mrs. Manney to attend the Emergency Responder Hazardous Materials Technician training for Chemical-Biological-Radiological-Nuclear-Explosives (CBRNE) incidents at the Federal Emergency Management Association's (FEMA) Center for Domestic Preparedness in Anniston, Alabama, from May 1 - 7, 2011. He noted the cost for the training was paid by FEMA.

Motion was made by Mr. Conover, seconded by Mr. Bentley and carried unanimously to approve the request for travel as outlined, and the necessary resolution was authorized for the April 15, 2011 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Mr. LaFlure presented a request to amend the 2011 County Budget to increase estimated revenues and appropriations in the amount of \$548, to reflect the sale of RACES (Radio Amateur Civil Emergency Service) equipment which had been purchased with grant funds.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried unanimously to approve the request to amend the 2011 County Budget as outlined above and to refer same to the Finance Committee. *A copy of the request to Amend County Budget is on file with the minutes.*

Mr. LaFlure presented a request to transfer funds from Unallocated Insurance-General Liability, to Civil Defense-Automotive Gas, in the amount of \$354 , to reimburse the department budget for an increase in the 2011 insurance premium following receipt of a check from New York Municipal Insurance Reciprocal (NYMIR).

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried unanimously to approve the request to transfer funds as outlined above and refer same to the Finance Committee. *A copy of the request for Transfer of Funds is on file with the minutes.*

Continuing, Mr. LaFlure presented a request for himself and Mrs. Manney to attend the Institute For Disaster Mental Health Conference in New Paltz, NY from April 7 - 8, 2011. He noted that registration would be paid for by the New York State Office of Emergency Management (NYS OEM).

Motion was made by Mr. Girard, seconded by Mr. Bentley and carried unanimously to approve the request for travel as outlined above. *A copy of the Authorization to Attend Meeting or Convention is on file with the minutes.*

Mr. LaFlure requested authorization to attend the Fire Coordinator's Conference in Montour Falls, NY, from March 31 - April 1, 2011.

Motion was made by Mr. Thomas, seconded by Mr. Conover and carried unanimously to approve the request for travel as outlined above. *A copy of the Authorization to Attend Meeting or Convention is on file with the minutes.*

Pertaining to the pending items, Mr. LaFlure recommended they be carried forward with the exception of the item related to the Hazard Mitigation Coordinator which could be deleted.

Addressing the Marine Rescue Team status, Mr. Laflure reported increased participation levels with the fire department's, Sheriff's Office and OES, which resulted in excellent outcomes. With regard to grants funding for the OES, Mr. LaFlure informed that bids had been received for the purchase of needed equipment and he noted that Warren County was part of a five-county consortium, thereby affording an interoperability grant opportunity intended for hazard materials (HAZ MAT) teams. He announced that \$110,000 was awarded to ensure the integrity and compliancy of communications systems used by the five inclusive HAZ MAT teams.

Regarding agency updates, Mr. LaFlure expressed his appreciation for the continued support shown by the Board of Supervisors and recognized his staff for their dedication. Mr. VanNess extended thanks to Mr. LaFlure and Mrs. Manney for their dedication and professionalism. He noted that he had received a letter from the Johnsbury Fire Chief commending Mr. LaFlure and Mrs. Manney for their efforts and would present it at a future meeting.

This concluded the OES portion of the Public Safety Committee meeting and privilege of the floor was extended to Bud York, Sheriff, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Sheriff York presented a request to extend the contract with Sam Asher Computing Services, Inc.,

for the Hyper-Reach notification system, for the term commencing May 1, 2011 and terminating April 30, 2014, for a total amount not to exceed \$32,400.

Motion was made by Mr. Bentley, seconded by Mr. Monroe and carried unanimously to approve the request for a contract with Sam Asher Computing Services, Inc., as outlined above and the necessary resolution was authorized for the April 15, 2011 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Monroe asked how frequently the services were used and Mr. LaFlure cited the recent ice jam scenario in Johnsbury and Chestertown, and advised the notification plan was in place and ready to be implemented, had the situation warranted.

Sheriff York presented a request to extend the contract with Stants Combustion Associates, Inc., for boiler maintenance services, for the term commencing January 11, 2010 and terminating January 11, 2011, for a total amount not to exceed \$1,575.

Motion was made by Mr. Girard, seconded by Mr. Monroe and carried unanimously to approve the request to extend the contract with Stants Combustion Associates, Inc., as outlined above and the necessary resolution was authorized for the April 15, 2011 Board meeting. *A copy of the resolution request form is on file with the minutes.*

The next request presented by Sheriff York was for the renewal of the lease agreement with the New England Police Vehicle Leasing Corporation, to lease two Harley-Davidson motorcycles, for the term commencing May 1, 2011 and terminating April 30, 2012, for a total amount not to exceed \$7,800.

Motion was made by Mr. Bentley, seconded by Mr. Monroe and carried unanimously to extend the lease agreement with New England Police Vehicle Leasing Corp., as outlined above and the necessary resolution was authorized for the April 15, 2011 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Sheriff York presented a request for a contract with Chic's Marina, Inc., to provide maintenance services for marine patrol vessels, for the term commencing January 1, 2011 and terminating December 31, 2011, for a total amount not to exceed \$5,310. He added that he was recently notified that the 50% State reimbursement for the marine patrols had been reinstated.

Motion was made by Mr. Conover, seconded by Mr. Bentley and carried unanimously to approve the request for a contract with Chic's Marina as outlined above and the necessary resolution was authorized for the April 15, 2011 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Sheriff York presented a request for permission to apply to the NYS Division of Criminal Justice Services for the 2011 Byrne Justice Assistance Recovery Act Grant (JAG), for teleconferencing equipment, for the 12-month term commencing June 1, 2011, for a total not to exceed \$30,000.

Motion was made by Mr. Thomas, seconded by Mr. Monroe and carried unanimously to approve the grant application as outlined above and the necessary resolution was authorized for the April 15, 2011 Board meeting. *A copy of the resolution request form is on file with the minutes.*

The second grant application request presented by Sheriff York was to the NYS Office of Interoperable and Emergency Communications, for the improved operation of the public safety

communications grant to support and enhance statewide interoperability communications for first responders, for the two year term commencing June 30, 2011, for a total amount not to exceed \$2 million. He noted that the funds were awarded on a first come, first served basis.

Mr. LaFlure added that Warren County's participation in the five county consortium over several years was an advantage in securing funds. Essentially, he said, counties would compete for the funds which had originally belonged to the County and had been claimed by the State.

Mr. VanNess credited the Sheriff's Department and the NYS Sheriff's Association regarding their efforts to request reinstatement of 911 funding. Sheriff York explained that \$9.8 million was automatically allocated to the counties and the Interoperability grant application presented an opportunity for additional funds, which would be used for upgrades to the 911 Center.

Motion was made by Mr. Bentley, seconded by Mr. Monroe and carried unanimously to approve the request to apply to the NYS Office of Interoperable and Emergency Communications for the grant as outlined above and the necessary resolution was authorized for the April 15, 2011 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Sheriff York presented a request for a transfer of funds from Unallocated Insurance - General Liability, to Sheriff Law Enforcement - Gas, in the amount of \$6,690, to reflect insurance reimbursement to the department budget following receipt of a check from NYMIR.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried unanimously to approve the request to transfer funds as outlined above and to refer same to the Finance Committee. *A copy of the request for Transfer of Funds is on file with the minutes.*

Continuing, Sheriff York presented a request to amend the 2011 County Budget to increase estimated revenues and appropriations in the amount of \$1,000, to reflect an accounting correction.

Motion was made by Mr. Conover, seconded by Mr. Bentley and carried unanimously to approve the request to amend the 2011 County Budget as outlined above and to refer same to the Finance committee. *A copy of the request to Amend County Budget is on file with the minutes.*

Addressing travel requests, Sheriff York stated that expenses for all three requests were included in the budget. He requested permission for the 11-member Emergency Response Team to attend the NYS Tactical Officer Training Conference in Verona, NY, from April 12 - 14, 2011, at a room rate of \$159 per night and a meal cost of \$27 per day per person.

Motion was made by Mr. Thomas, seconded by Mr. Bentley and carried unanimously to approve the travel request as outlined above. *A copy of the Authorization to Attend Meeting or Convention is on file with the minutes.*

Sheriff York presented a request for Sergeant Steven Stockdale to attend the Advanced Narcotics Leadership Seminar in Long Beach, NY, from May 2 - 5, 2011, at a room rate of \$143 per night and a meal cost of \$27 per day.

Motion was made by Mr. Thomas, seconded by Mr. Girard and carried unanimously to approve the travel request as outlined above. *A copy of the Authorization to Attend Meeting or Convention is on file with the minutes.*

Lastly, Sheriff York presented a request for Undersheriff Robert Swan to attend the Undersheriff's Training Conference in Saratoga, NY, from June 13 - 15, 2011.

Motion was made by Mr. Thomas, seconded by Mr. Bentley and carried unanimously to approve the request for travel as outlined above. *A copy of the Authorization to Attend Meeting or Convention is on file with the minutes.*

Continuing, Sheriff York presented a request to amend the 2011 County Budget to increase estimated revenues and appropriations in the amount of \$3,600, to reflect money received from the Warren-Washington Counties Care Center, for the purchase of laptop computers.

Motion was made by Mr. Conover, seconded by Mr. Monroe and carried unanimously to approve the request to amend the 2011 County Budget as outlined above and to refer same to the Finance Committee. *A copy of the request to Amend County Budget is on file with the minutes.*

Proceeding to Personnel requests, Sheriff York presented a request to fill the vacant position of Patrol Officer, base salary of \$54,808, Employee No. 11232, due to resignation.

Motion was made by Mr. Thomas, seconded by Mr. Monroe and carried unanimously to approve the request to fill the vacant position of Patrol Officer as outlined above and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

Sheriff York presented a request to fill the vacant position of Major, base salary \$84,500, Employee No. 7956, due to retirement.

Motion was made by Mr. Thomas, seconded by Mr. Monroe and carried unanimously to approve the request to fill the vacant position of Major as outlined above and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

Mr. VanNess recounted that the Committee had deferred the decision regarding the elimination of either the position of Major or Chief Deputy to the Sheriff who subsequently elected to retain the position of Major, which was a significant change for the Department. Sheriff York added that the reorganization would result in a cost savings of between \$9,000 and \$10,000.

Lastly, Sheriff York presented requests to back-fill three positions due to promotion as a result of the retirement of the Major as follows:

- Patrol Lieutenant, base salary \$74,450, Employee No. 7575;
- Patrol Sergeant, base salary \$65,786; and
- Patrol Officer, base salary \$45,852.

Motion was made by Mr. Thomas, seconded by Mr. Bentley and carried unanimously to approve all three requests to fill the vacant positions as outlined above and to refer same to the Personnel committee. *Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.*

Continuing, Sheriff York expressed the need to discuss lateral transfers, and Paul Dusek, County Attorney/Administrator, informed of the particular case of a Patrol Officer who had returned to his position after resigning. Mr. Dusek said it was his understanding that in this case, the union had agreed to reinstate vacation time based on the total accrual at the time of his departure, a scenario that had been approved in the past. With agreement from the Union, Mr. Dusek said a contract amendment would be necessary. Sheriff York added that the lateral transfer would effect two

positions and he had identified viable candidates but lacked the specific information needed regarding offers of employment. Mr. Dusek stated the need to discuss the lateral transfer concept, as well as the terms of negotiation, and therefore; he recommended the Committee enter into an executive session.

Motion was made by Mr. Bentley, seconded by Mr. Monroe and carried unanimously that executive session be declared, pursuant to Sections 105 (e) and (f) of the Public Officers Law.

Executive session was declared from 9:55 a.m. to 10:43 a.m.

Committee reconvened and Mr. VanNess announced that no action was required as a result of the executive session and this concluded the Sheriff's portion of the Public Safety Committee meeting.

Privilege of the floor was extended to Karen Putney, Fire Prevention & Building Code Enforcement Administrator, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Addressing pending items, Mrs. Putney recommended that the review of the fee schedule be removed from the pending list at this time to be reinstated at a later date.

Regarding the Monthly Activities Report, Mrs. Putney reported permits and revenues had increased by 84% and 38%, respectively. She said revenues and total permits had increased by 17% and 37%, respectively. Mr. Geraghty asked Mrs. Putney if the Planning Department was now assisting with inspections and she stated such collaboration had not yet begun.

Mrs. Putney presented a request to exempt the County and municipalities under the jurisdiction of the Office of Fire Prevention and Building Code Enforcement from a fee for building permits. She noted it would not effect permit issuance, only the associated permit fees.

Motion was made by Mr. Girard, seconded by Mr. Thomas and carried unanimously to approve the request to exempt the County and municipalities from building permit fees and the necessary resolution was authorized for the April 15, 2011 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. VanNess stated that Mr. Dusek was in agreement with the request and noted that although a waiver for permit fees was allowable, a fee waiver was not permissible for inspections.

Mrs. Putney recognized Patricia Nenninger and expressed thanks for her dedication and interest relative to her work on behalf of the Fire Prevention & Building Code Enforcement Office. She also thanked Mr. Dusek and Amy Bartlett, First Assistant County Attorney for their expertise, responsiveness, and professionalism regarding the needs of her Department.

In reference to the informational Forum held on March 24, 2011, Mr. VanNess reported there were approximately 60 contractors in attendance from throughout the County. He said the meeting was a success and information and suggestions regarding the implementation of the NYS Fire Prevention & Building Code changes were derived from the forum. Mr. Monroe concurred and noted the absence of complaints, particularly with regard to turnaround time in the wake of a short construction season. He said the need to insure that the Department was adequately staffed was particularly critical given the current economic climate.

A discussion ensued regarding staffing during periods of peak volume and Mr. VanNess suggested a per diem staff member be utilized during peak periods. Mr. Thomas stated that plan review processing was most critical and felt the forum provided attendees with a clearer understanding of the codes.

Mr. Dusek stated his pleasure with the Department's overall performance and he pointed out that complaints to a certain degree were a normal part of any enforcing Office. He further stated that the forum affirmed that the Office was succeeding with the overall workload and he commended Mrs. Putney for her hard work in addressing all complaints in a professional and respectful manner. He acknowledged the need for additional staff to be addressed at the next Committee meeting.

Regarding shared staff, Mr. Dusek stated that he would require additional time to review the figures provided by Mrs. Putney. Mrs. Putney stated that the Department was managing with the current staff and deferred the issue to next month's meeting. She noted that the busiest months were April through November. She cautioned that with the focus on construction related requests, fire safety could become secondary which was not a good scenario. Most complaints, she noted, were regarding construction issues. Mr. Geraghty suggested hiring someone now to perform fire inspections with the summer approaching and Mr. Sokol agreed. In response to a question from Mr. Girard, Mrs. Putney informed that the fee for inspections was \$75 per inspection. Mr. Girard noted budget constraints and suggested shared staff as the viable solution.

Further discussion ensued and Mr. Dusek noted that the addition of a full-time staff person would still not be sufficient to manage the workload. He asked Mrs. Putney to consider shared staff on a temporary basis. Mrs. Putney noted that the \$75 fee for one inspection offset less than two hours of staff work time. Mr. Dusek stated that the search for a solution would continue and he would work with Mrs. Putney to resolve the issue.

As there was no further business to come before the Public Safety Committee on motion made by Mr. Conover and seconded by Mr. Monroe, Mr. VanNess adjourned the meeting at 11:06 a.m.

Respectfully Submitted,
Joanne Collins, Legislative Office Specialist